→ 17183307579

FORM NLRB-501

1.0.

(b) (6), (b) (7)(C)

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA

NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRIT	E IN THIS SPACE
Case	Date Filed
29-CA-260062	May 6, 2020

INSTRUCTIONS

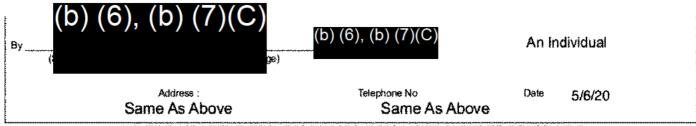
File an original and 4 copies of this charge with National Labor Relations Board Regional Director for

1. EMPLOYER AGAINST	WHOM CHARGE IS BROUGHT			
a. Name of Employer Amazon.com Services, Inc.		b. Number of workers employed 10,000		
c. Address (street, city, state, ZIP code) 1 Bulova Avenue, Woodside, New York 11377 d. Employer Representative Eden Rosario. Mgr.		e. Telephone No. & Fax No. UNKNOWN		
f. Type of Establishment (lactory, mine, wholesaler, etc.) Warehouse	g. Identify principal product or service Online Order Fulfillment			
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsection (1) of the National Labor Relations Act.				
2. Basis of the Charge (set forth a clear and concise statement of the facts	constituting the alleged unfair labor pra-	ctices)		
Since on or about March 21, 2020, the above-n representatives, promulgated and maintained a protected, concerted activities without prior noticemployees from engaging in protected, concert. On or about March 21, 2020, the above-named representatives, threatened to issue written war concerted activities. On or about (b) (6), (b) (7)(C), the above-named representatives, issued a written warning to an	rule prohibiting employe fication to management i ed activities. Employer, by its officers mings to employees in re	ees from engaging in in order to discourage , agents, and etaliation for their protected,		
activities.				
On or about (b) (6), (b) (7)(C), the above-named Employer, by its officers, agents, and representatives, changed job assignments of employees in retaliation for their protected, concerted activities.				
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)				
4a. Address (street and number, city, state and ZIP code) (b) (6), (b) (7)(C)		4b. Telephone No. & Fax No. (b) (6), (b) (7)(C)		
Full name of national or international labor organization of which it is an a	effiliate or constituent unit (to be filled in	when charge is filed		

by a labor organization.

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)





June 4, 2020

Aiden Rosario, Mgr. Amazon.com Services, Inc. 311 S. HIGHWAY 146 BAYTOWN, TX 77520

REGION 29

Suite 5100

Two Metro Tech Center

Brooklyn, NY 11201-3838

Re: Amazon.com Services, Inc. Case 29-CA-260062

Dear Mr. Rosario:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KATHY DREW-KING Regional Director

Enclosure: Copy of first amended charge

cc: MICHAEL E. LIGNOWSKI, ESQ. MORGAN, LEWIS & BOCKIUS, LLP 1701 Market St Philadelphia, PA 19103-2901

> Andriette A Roberts, Esquire Morgan, Lewis & Bockius, LLP 101 Park Avenue, 37th Floor New York, NY 10178

Ross H. Friedman, ESQ. Morgan, Lewis & Bockius LLP 77 West Wacker Drive, Suite 500 Chicago, IL 60601-5094

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SER	RVICES .	INC.
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Charged Party

and

Case 29-CA-260062

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 4, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Aiden Rosario, Mgr. Amazon.com Services, Inc. 311 S. HIGHWAY 146 BAYTOWN, TX 77520

MICHAEL E. LIGNOWSKI, ESQ. MORGAN, LEWIS & BOCKIUS, LLP 1701 Market St Philadelphia, PA 19103-2901

Andriette A Roberts, Esquire Morgan, Lewis & Bockius, LLP 101 Park Avenue, 37th Floor New York, NY 10178

Ross H. Friedman, ESQ. Morgan, Lewis & Bockius LLP 77 West Wacker Drive, Suite 500 Chicago, IL 60601-5094

Date

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Tasha V. Fred, Designated Agent of NLRB

Name

/s / Taska V. Fred

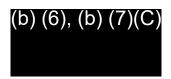
Signature



Agency Website: www.nlrb.gov Telephone: (718)330-7713 Fax: (718)330-7579



June 4, 2020



REGION 29

Suite 5100

Two Metro Tech Center

Brooklyn, NY 11201-3838

Re: Amazon.com Services, Inc. Case 29-CA-260062

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KATHY DREW-KING Regional Director



Agency Website: www.nlrb.gov Telephone: (718)330-7713 Fax: (718)330-7579



Aiden Rosario, Mgr. Amazon.com Services, Inc. 1 Bulova Avenue Woodside, NY 11377

REGION 29

Suite 5100

Two Metro Tech Center

Brooklyn, NY 11201-3838

June 26, 2020

Re: Amazon.com Services, Inc.

Case 29-CA-260062

Dear Mr. Rosario:

Enclosed is a copy of the second amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the third amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KATHY DREW-KING Regional Director

Enclosure: Copy of second amended charge

cc: MICHAEL E. LIGNOWSKI, ESQ. MORGAN, LEWIS & BOCKIUS, LLP 1701 Market St Philadelphia, PA 19103-2901

> Andriette A Roberts, ESQ. Morgan, Lewis & Bockius, LLP 101 Park Avenue, 37th Floor New York, NY 10178

Ross H. Friedman, ESQ. Morgan, Lewis & Bockius LLP 77 West Wacker Drive 5th Floor Chicago, IL 60601-5094

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON	.COM	SERVI	CES.	INC.
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Charged Party

and

Case 29-CA-260062

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 26, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Aiden Rosario, Mgr. Amazon.com Services, Inc. 1 Bulova Avenue Woodside, NY 11377

MICHAEL E. LIGNOWSKI, ESQ. MORGAN, LEWIS & BOCKIUS, LLP 1701 Market St Philadelphia, PA 19103-2901

Andriette A Roberts, ESQ. Morgan, Lewis & Bockius, LLP 101 Park Avenue, 37th Floor New York, NY 10178

Ross H. Friedman, ESQ. Morgan, Lewis & Bockius LLP 77 West Wacker Drive 5th Floor Chicago, IL 60601-5094

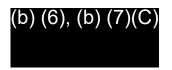
June 26, 2020

,	FREDA DEVONSHIRE, Designated Agent of NLRB
Date	Name
	/S/
	Signature



Agency Website: www.nlrb.gov [718)330-7713 Fax: (718)330-7579





REGION 29

Suite 5100

Two Metro Tech Center

Brooklyn, NY 11201-3838

June 26, 2020

Re: Amazon.com Services, Inc. Case 29-CA-260062

Dear (b) (6), (b) (7)(C):

We have docketed the second amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Evamaria Cox whose telephone number is (718)765-6172. If the agent is not available, you may contact Supervisory Attorney NANCY LIPIN whose telephone number is (718)765-6208.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KATHY DREW-KING

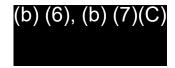
Regional Director

NATIONAL LABO
REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov Telephone: (718)330-7713

Fax: (718)330-7579

November 16, 2020



Re: Amazon.com Services, Inc. Case 29-CA-260062

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that Amazon.com Services, Inc. (the Employer) has violated the National Labor Relations Act.

Conditional Decision to Dismiss: Based on that investigation, the portion of your charge alleging that on (5)(6)(6)(7)(6), (2)(7)(6), (2)(7)(6), (3)(7)(6), (3)(7)(6), (4)(7)(6), (4)(7)(6), (5)(7)(6), (5)(7)(6), (6)(7)(6), (6)(7)(6), (6)(7)(6), (6)(7)(6), (7)(6), (6)(7)(6), (

If a meritorious charge involving other unfair labor practices is filed against the Employer during that period, I will reconsider whether further proceedings on this charge are warranted.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on November 30, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 29, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 30, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 30, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

KATHY DREW-KING Regional Director

Kayan Dem King

Enclosure

cc: Aiden Rosario, Mgr.
Amazon.com Services, Inc.
1 Bulova Avenue
Woodside, NY 11377

Michael E. Lignowski, Esq. Morgan, Lewis & Bockius, LLP 1701 Market Street Philadelphia, PA 19103

Andriette A. Roberts, Esq. Morgan, Lewis & Bockius, LLP 101 Park Avenue, 37th Floor New York, NY 10178

Ross H. Friedman, Esq. Morgan, Lewis & Bockius LLP 77 West Wacker Drive, 5th Floor Chicago, IL 60601

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001	Date:		
Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in			
Case Name(s).			
Case No(s). (If more than one case number, included taken.)	ude all case numbers in which appeal is		
	(Signature)		

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any additional materials to add to the Appeal should be e-filed under Correspondence.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. Position Statement: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.